## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

Daniel A. Levy, Jr.	- ************************************	FILED
5271 Main St.	_	JUN 0 1 2021
Stephens City, VA 22655-2633 (Full name and address of the plaintiff) Plaintiff(s)	* -	
VS. Elkins Chrysler, Dodge, Jeep, Ram	*	(Leave blank. To be filled in by Court.)
Service Department	*	Kleeh
1434 Beverly Pike		
Elkins, WV 26241	*	
Brandon Young,1434 Beverly Pike Elkins WV 26241 (Full name and address of the defendant(s)) <b>Defendant(s)</b>	****	<del>«</del> *
	COMPL	AINT
1. Jurisdiction in this case is ba	sed on:	
Diversity (none of the resident)	defenda	nts are residents of the state where plaintiff is a
Federal question (suit States Constitution)	is based	upon a federal statute or provision of the United
Other (explain) Plantif	fs reside in	the state of Virginia and the claim is under
\$75,000.00		

## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

Maryann Levy		(second Plaintiff)		*		
5271 Main St.						
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Stephens City, VA 22655-2633		<del></del>	*			
(Full name a	nd addr	ess of the plaintiff)				
		Plaintiff(s)				
		VS.		*	Civil No.: 2-21015	<u> </u>
			$(\equiv)$		(Leave blank. To be filled in by Co	ourt.)
Elkins Chrysler	, Dodge,	Jeep, Ram			Kleel	ł
Service Depart	ment			*	Rieer	$\hat{}$
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1434 Beverly P	ike		_			
Elkins, WV 262	41			*		
LIKI113, 11 1 LOL						
		everly Pike Elkins WV 26241	_			
(Full name ai	nd addre	ess of the defendant(s))		*		
		Defendant(s)	**	*****		
			COM	IPLAINT		
1.	lurico	liction in this case is ba	scad or	,. <u> </u>		
1.	Julisu	iletion in this case is be	iseu oi	··		
		Diversity (none of the	e defen	dants are re	sidents of the state where plaintiff	is a
		resident)				
		Federal question (sui	t ic hac	ed unon a fe	ederal statute or provision of the Ur	aited =
		States Constitution)	i is vas	cu upon a re	derai statute of provision of the Of	med /
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	~	Other (explain) Planti	ffs reside	e in the state o	of Virginia and the claim is under	- -
		\$75,000.00				
		***************************************	***************************************			-
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2. The facts of this case are:

On October 2, 2019 Daniel and Maryann Levy were driving through the Monongahela National Forest. We were on our way to the Cass Scenic Railway. Our Dodge Dakota started to smoke and lose power. Daniel was driving and was able to steer the truck into a pull out along side the road. We had it towed to Elkins Chrysler Dodge Jeep Ram's service department. The plastic fitting on the transmission line that runs through the radiator had cracked. This required that the radiator be replaced. Our truck is a V8 and Elkins Chrysler Dodge Jeep Ram's Service department installed a radiator for a V6 engine instead. As we drove home to Stephens City, Virginia, transmission fluid was leaking out due to the fittings being the wrong size. Daniel at the time was a long haul trucker and he left for work the day after we had returned from Elkins, WV. Maryann took the Dodge Dakota to a local auto repair shop that was less than a mile from their home, Clems Garage Inc. P.O. Box 31 Stephens City, VA 22655. She had noticed that something was leaking from the truck. Clems Garage put in 5 quarts of transmission fluid and tightened up the fittings on the radiator. The truck ran okay for a few days. Maryann was on her way home from a doctors appointment. She was going up a hill when she heard a loud clunk, the truck started to loose power, and the check engine light came on. She drove home with her four ways lights on. Her truck was unable to shift. On November 11, 2019, Maryann called her auto insurance company and requested a tow truck. The Dodge Dakota was towed to Safford Chrysler Jeep Dodge dealership: 1659 Berryville Pike, Winchester, VA 22603. The service department found that the wrong radiator had been installed and that it had caused the transmission to be destroyed. They also found that the wire harness that tells the online computer there is something wrong with the vehicle had

The facts of this case are:
three wires pulled from the harness. That is why the vehicle continued to leak transmission
fluid and it was not detected until Maryann noticed several puddles under the truck. Chris the
Service Advisor from Safford, 540.228.1594 contacted Brandon Young the Service Advisor from
Elkins 585.703.7409 several times during the seventeen days the truck was at Safford having
the transmission replaced and the installation of the right type of radiator. Chris let Brandon
know about his service department installing the wrong radiator. After that Maryann was no
longer able to get a hold of Brandon. He was always unavailable.

2.

3.	The relief I want the court to order is: 🗐			
V	Damages in the amount of: \$8,480.00			
	An injunction ordering:			
	Other (explain)	<b>\bar{1}</b>		
May 27, 2021 (Date)	(Signature)			
	Daniel A. Levy, Jr 5271 Main St.			
	Stephens City, VA 22655-2633			
	540.869.2594 (Printed name, address and phone number of Plaintiff)	:		

## Privacy Rules and Judicial Conference Privacy Policy

Under the E-Government Act and Judicial Conference policy, any paper filed with the court should not contain an individual's social security number, full birth date, or home address; the full name of person known to be a minor; or a complete financial account number. These rules address the privacy concerns resulting from public access to electronic case files.